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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Cioca, et al.

Serial No.: 09/838,649

Group Art Unit: 1617

Filed: April 19, 2001

Examiner: Wells, Lauren Q.

For: Stable Antimicrobials in Structured Water

**RESPONSE PURSUANT TO 37 CFR 1.116 - Amendments**

Please make the following amendments to Claims

**Claim 1. (currently amended)** A structured water comprising at least one cluster structure and at least two antimicrobial agents within said cluster structure comprising a combination of I and S water, wherein I water is characterized by a conductivity of about 1500 to 3000, and a pH of about 2.0 to 3.5; S water is characterized by a conductivity of about 600 to 2000, and a pH of about 10.0 to 13.0, each resulting from feed water having  $\mu$ S/cm of about 470 to 520 and a pH of about 6.0 to 6.4.

**Claim 2. (previously presented)** The structured water of claim 1 wherein one of said antimicrobial agents is a silver ion having a valency selected from the group consisting of one, two, and three.

**Claim 3. (previously presented)** The structured water of claim 2 wherein one of said antimicrobial agents is potassium sorbate.

**Claim 4. (previously presented)** The structured water of claim 1 wherein said cluster structure further comprises electronegative aggregates of water molecules forming I water.

**Claim 5. (previously presented)** The structured water of claim 1 wherein said cluster structure further comprises electropositive aggregates of water molecules forming S water.

**Claim 6. (withdrawn)** A structured water prepared by adding an antimicrobial effective amount of silver ions and potassium sorbate to an unstructured feed water, reducing the surface tension of the feed water, and processing the feed water in a device for producing structured water.

Claim 7. (withdrawn) The structured water of claim 6 wherein said feed water has a pH of about 5.0 to 7.5 and a conductivity of about 350 to 550  $\mu$ S/cm.

Claim 8. (withdrawn) The structured water of claim 6 wherein the step of reducing the surface tension further comprises passing the feed water through a tourmaline filter.

Claim 9. (original) A cosmetic or pharmaceutical composition containing the structured water of claim 1.

Claim 10. (original) The composition of claim 9 wherein one of said antimicrobial agents is a silver ion having a valency selected from the group consisting of one, two, and three.

Claim 11. (original) The composition of claim 9 wherein said structured water is selected from the group consisting of I water, S water, and a combination thereof.

Claim 12. (original) The composition of claim 11 wherein said structured water is I water.

Claim 13. (withdrawn) A topical cosmetic or pharmaceutical composition comprising the structured water of claim 6.

Claim 14. (withdrawn) A method of producing structured water having antimicrobial activity comprising the steps of integrating silver ions and a stabilizing agent within a cluster structure of the structured water.

Claim 15. (withdrawn) The method of claim 14 wherein the step of integrating the silver ions and the stabilizing agent within the cluster structure further comprises the steps of adding silver ions and the stabilizing agent to unstructured feed water, and processing the feed water in a device for producing structured water.

Claim 16. (withdrawn) The method of claim 14 in which the stabilizing agent is potassium sorbate.

Claim 17. (withdrawn) The method of claim 15 further comprising the step of reducing the surface tension of the unstructured feed water.

Claim 18. (withdrawn) The method of claim 17 wherein the step of reducing the surface tension comprises passing the feed water through a tourmaline filter.

Claim 19. (original) A method of ceasing or retarding the growth of bacteria comprising the step of applying the structured water of claim 1 to the skin.

Claim 20. (original) A method of ceasing or retarding the growth of microbes comprising applying to the skin the structured water of claim 1.

Claim 21. (withdrawn) A method of stabilizing silver ions having antimicrobial activity comprising the steps of preparing feed water containing 0.001 to about 1.0mg/100 ml monovalent silver ions and 10 to 200 mg/100 ml potassium sorbate, passing the feed water through a tourmaline filter, and processing the tourmaline treated feed water in a structured water producing device.

Claim 22. (original) A method of preserving a cosmetic or pharmaceutical composition comprising adding to the composition the structured water of claim 1.